

1 **CHILD SUPPORT REDUCTIONS**

2 2002 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: John E. Swallow**

5 **This act modifies provisions relating to child support. It requires that the income of an**
6 **incapacitated child over 18 years be considered in child support calculations.**

7 This act affects sections of Utah Code Annotated 1953 as follows:

8 AMENDS:

9 **78-45-7.10**, as last amended by Chapter 161, Laws of Utah 2000

10 *Be it enacted by the Legislature of the state of Utah:*

11 Section 1. Section **78-45-7.10** is amended to read:

12 **78-45-7.10. Adjustment when child becomes emancipated.**

13 (1) When a child becomes 18 years of age, or has graduated from high school during the
14 child's normal and expected year of graduation, whichever occurs later, the base child support
15 award is automatically adjusted to reflect the base combined child support obligation shown in the
16 table for the remaining number of children due child support, unless otherwise provided in the
17 child support order.

18 (2) The award may not be reduced by a per child amount derived from the base child
19 support award originally ordered.

20 (3) The income used for purposes of adjusting the support shall be the income of the
21 parties at the time of the entry of the original order. If income was not listed in the findings or
22 order and worksheets were not submitted, the parties may submit tax returns or other verification
23 of the income.

24 (4) The income of a child over the age of 18 years who is incapacitated but able to provide
25 some financial resources to the family shall be included in any child support award calculation that
26 includes support for that child.



Legislative Review Note
as of 1-25-02 11:20 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel